

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID MARSHALL GATES,)	No. C 10-05387 EJD (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL
)	
vs.)	
)	
ATASCADERO STATE HOSPITAL,)	
)	
Defendant.)	

On November 29, 2010, plaintiff filed the instant civil rights complaint in pro se pursuant to 42 U.S.C. § 1983. The Court dismissed the complaint with leave to amend on February 11, 2011, directing Plaintiff to file an amended complaint within thirty days of the date of the order. (See Docket No. 5.) A stamped copy of the Court's order mailed to Plaintiff was returned as undeliverable on February 28, 2011. (See Docket No. 6.) As of the date of this order, Plaintiff has not filed a notice of change of address or submitted any further pleadings in this case.

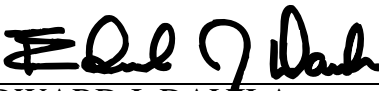
Pursuant to Northern District Local Rule 3-11 a party proceeding pro se must promptly file a notice of change of address while an action is pending. See L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the Court has been returned to the Court as not deliverable, and (2) the Court

1 fails to receive within sixty days of this return a written communication from the pro se
2 party indicating a current address. See L.R. 3-11(b).

3 More than sixty days have passed since the mail addressed to Plaintiff was
4 returned as undeliverable. The Court has not received a notice from Plaintiff of a new
5 address. Accordingly, the instant civil rights action is DISMISSED without prejudice
6 pursuant to Rule 3-11 of the Northern District Local Rules.

7 The Clerk shall terminate any pending motions.

8
9 DATED: May 11, 2011


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DAVID MARSHALL GATES,
Plaintiff,

Case Number: CV10-05387 EJD

CERTIFICATE OF SERVICE

v.

ATASCADERO STATE HOSPITAL,
Defendant.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 5/17/2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

David Marshall Gates J-60908
Coalinga State Hospital
P.O. Box 5000
Coalinga, CA 93210-5000

Dated: 5/17/2011

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk